



Attorney's Docket No. 817-004001 / PH-581US-CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yamamoto et al.

Art Unit : Unknown

Serial No. : 09/823,829

Examiner : Unknown

Filed : March 30, 2001

Title : METHOD FOR IDENTIFICATION AND DETECTION OF
MICROORGANISMS USING GYRASE GENE AS AN INDICATOR

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

SUBMISSION OF MISSING PARTS OF APPLICATION

This application was filed without a declaration signed by the inventor. A Notice to File Missing Parts was never issued. In order to complete this application, applicant as a large entity submits herewith the following:

- ☐ Payment of the basic filing fee of \$0;
- ☐ Payment of the additional/multiple dependent claims fees of \$0;
- ☒ Check in payment of \$130 surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application;
- ☐ A Verified Statement Claiming Small Entity Status;
- ☒ Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☐ A verified English translation of the application and payment of the \$0 fee required under 37 CFR §1.17(k); and
- ☐ Other:

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 26, 2001

Date of Deposit

Signature

Rose Papetti

Rose Papetti

Typed or Printed Name of Person Signing Certificate

09823829-070201



Attorney's Docket No. 17-004001 / PH-581US-CIP

sector N

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Satoshi Yamamoto et al. Art Unit : Unknown
Serial No. : 09/823,829 Examiner : Unknown
Filed : March 30, 2001
Title : METHOD FOR IDENTIFICATION AND DETECTION OF
MICROORGANISMS USING GYRASE GENE AS AN INDICATOR

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

A Notice to File Missing Parts dated Jun 7, 2001 indicated that (1) the oath or declaration is missing, (2) an abstract was not provided, and (3) a copy of the Sequence Listing in computer readable form and a statement that the computer readable form is identical to the written sequence listing have not been submitted.

Regarding item (1) above, an executed declaration and the requisite fee in connection with the present application was filed with the UTPTO on April 26, 2001. As evidence, copies of the transmittal letter and the declaration as well as a copy of a check to cover the requisite fee are provided herein.

Regarding item (2) above, the abstract is provided under the heading of "Effect of the Invention" on page 19 of the present specification. A preliminary amendment is attached herein to correct the heading from "Effect of the Invention" to "Abstract of the Invention."

Regarding item (3), the sequence listing in computer readable form and the requisite statement have been filed with the USPTO on June 12, 2001. A copy of the statement is enclosed as evidence.

With this response, applicants submit that the missing parts requirements have been satisfied.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

June 26, 2001

Date of Deposit

Signature

Rose Papetti

Rose Papetti

Typed or Printed Name of Person Signing Certificate


05823829 070201

Attorney's Docket No. 17-004001 / PH-581US-CIP

If there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 26, 2001


Chris T. Mizumoto
Reg. No. 42,899

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, NY 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291

30056678.doc

THE UNIVERSITY OF CHICAGO

Applicant : Satoshi Yamamoto et al.
Serial No. : 09/823,829
Filed : March 30, 2001
Page : 3

Attorney's Docket No.: 12817-004001 / PH-581US-CIP

REMARKS

The original sequence listing in computer readable form was filed on June 12, 2001. A Notice to File Missing Parts dated June 7, 2001 requested a copy of a sequence listing in computer readable form. A response was filed on June 26, 2001 indicating that a copy of a sequence listing in computer readable form was filed on June 12, 2001. Applicants submit that the response had satisfied and fulfilled the Notice to File Missing Parts.

A call from Ms. Nelson [Tel. No. (703) 305-5531] of the USPTO was received on March 6, 2002. She indicated that a copy of a sequence listing in computer readable form with respect to the present application was lost or misplaced and requested that another copy be filed. When preparing the second copy in compliance with the request, some informalities were noticed in the original sequence listing. Thus, a new corrected copy is being filled together with this amendment.

Applicants hereby submit that the enclosures fulfill the requirements under 37 C.F.R. §1.821-1.825. The amendments in the specification merely insert sequence identifiers in the specification and replace the original Sequence Listing with an amended substitute Sequence Listing. Specifically, the amino acid sequence disclosures on page 4 are included in the substitute Sequence Listing as SEQ ID NO:81 and 82. No new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment.

Applicants believe that no fee is due but, if necessary, please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket no. 12817-004001.

Applicant : Satoshi Yamamoto et al.
Serial No. : 09/823,829
Filed : March 30, 2001
Page : 4

Attorney's Docket No.: 12817-004001 / PH-581US-CIP

Respectfully submitted,

Date: 3/8/02

A handwritten signature in black ink, appearing to read 'Chris T. Mizumoto', written over a horizontal line.

Chris T. Mizumoto
Reg. No. 42,899

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, NY 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291